

REMARKS

This is in response to the Office Action mailed on May 4, 2004. Claim 13 is amended, no claims are canceled herein, and claims 49-53 are added; as a result, claims 1-5 and 7-53 are now pending in this application. Claim 6 was canceled in a previous Response dated January 22, 2003.

§102 Rejection of the Claims

Claims 13, 15, 16 and 19-24 were rejected under 35 USC § 102(e) as being anticipated by Sekiyama (US 6,526,350). Applicant respectfully traverses.

With respect to originally-filed independent claim 13, Applicant is unable to find, among other things, in Sekiyama a system that provides voice guidance for the decision point. Applicant amended claim 13 to further clarify that the system is adapted to provide voice guidance for navigating through the decision point and continuing with travel along the route, and to clarify that the voice guidance is based on a current travel speed and a current position, such as is included in the language recited in allowed claim 25. With respect to amended independent claim 13, Applicant is unable to find, among other things, in Sekiyama a system that is adapted to process travel along the route, determine a current travel speed and a current position for the navigation device, recognize when the device is approaching a decision point in the route, provide voice guidance for navigating through the decision point and continuing with travel along the route, and time the voice guidance based on the current travel speed and the current position, as recited in the claim. Dependent claims 14-24 depend on amended independent claim 13, and are believed to be in condition for allowance therewith.

Applicant maintains its right to swear behind any documents relied upon for a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the documents are prior art.

Allowable Subject Matter

Claims 1-12 and 25-48 have been allowed.

Claims 14, 17 and 18 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Originally-filed claims 14, 17 and 18 have been rewritten as independent claims 49, 50 and 51, respectfully. Each of these new claims includes language recited in originally-filed independent claim 13. Applicant respectfully requests reconsideration and allowance of new independent claims 49-51.

New Claims 52-53

New independent claim 52 includes language recited in originally-filed, independent claim 13, and further clarifies that voice guidance is provided to navigate both the first and second decision point prior to reaching the first decision point, such as included in the language recited in allowed claim 40. New dependent claim 53 depends on claim 52, and generally corresponds to allowed claim 41. Applicant respectfully requests consideration and allowance of new claims 52-53.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6960 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

All correspondence should continue to be sent to:

Devon A. Rolf
Garmin International, Inc.
1200 E. 151st Street
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Respectfully submitted,

JAY DEE KRULL ET AL.

By their Representatives,

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Date 8-27-04

By 

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of August, 2004.

CANDIS BUENDING

Name

Signature

